

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

HAYWOOD FENNEL

v.

JOHN WETZEL, et al.

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CIVIL ACTION NO. 13-5530

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**ORDER**

**AND NOW**, this 29th day of April, 2014, upon consideration of the Report and Recommendation of Magistrate Judge David R. Strawbridge (Doc. No. 11), to which no objections have been filed, it is hereby **ORDERED** that:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The Petition for Writ of Habeas Corpus is **STAYED and HELD IN ABEYANCE** until the conclusion of Fennell's state appellate proceedings;
3. Petitioner must notify this Court of his intent to proceed with his federal habeas Petition **within thirty (30) days of the conclusion of the state court proceedings**;
4. There are no grounds to issue a certificate of appealability; and
5. The Clerk of Court shall mark this case closed for statistical purposes.

**IT IS SO ORDERED.**

*/s/ Paul S. Diamond*

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**Paul S. Diamond, J.**